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SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)
Office Action Summary	10/014,948	BUNDA, JOHN
	Examiner	Art Unit	
	Bijendra K. Shrestha	3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *26 October 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *See Continuation Sheet*.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

Specification

1.   The disclosure is objected to because of the following informalities: "order

books 510 and 530, and market maker quote may be combined into market

quote/order book 510" need to be corrected. Correction should be " ...combined

into market quote/order book 540..."

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 14, 19-27 and 31 are rejected under 35 U.S.C. 102(a) and (e) as

being unpatentable by Kormammer et al., U.S. Patent No. 6,278,982 (reference

C17 in attached IDS submitted by the applicant).

4.   As per claim 14, Korhammer et al. teach a computer-implemented method

of displaying quotes for a security from two or more sources (see column 14,

lines 1-2), the method comprising:

receiving quotes for a security from two or more sources (see abstract;

Fig.2; Fig. 4; Fig. 5; where quotes Dell Computer Corp. quotes are received from

NASDAQ, and ECNs);,

displaying one or more quotes from a first source, wherein the first source

was not identified to be suppressed (see Fig. 5; column 9, lines 10-14; where

space 251 is checked allowing to display from first source(NASDAQ) and

second source (ECNs); and

receiving user preference data that identifies sources to be suppressed;

suppressing display of one or more quotes from a second source, wherein the

second source was identified to be suppressed, and wherein the one or more

quotes from the second source which are suppressed, are duplicates of one or

more quotes from the first source which are displayed (see Fig. 4; column 8, lines

50-55; where customer 10 has elected to receive NASDAQ 52 data by failing to

check ECN election box 251).

5.   As per claim 19, Korhammer et al. teach the method of claim 14 as

described above.

Korhammer et al. further teach a method, wherein one of the sources is a market center (see Fig. 2; where one of source is ECN, a market center).

6.   As per claim 20, Korhammer et al. teach the method of claim 14 as described above.

Korhammer et al. further teach a method, wherein one of the sources is a securities market (see Fig. 2; where one of source is NASDAQ, a security market).

7.   As per claim 21, Korhammer et al. teach the method of claim 14 as described above.

Korhammer et al. further teach a method, wherein one of the sources comprises the NASDAQ Stock Market (see Fig. 2).

8.   As per claim 22, Korhammer et al. teach the method of claim 14 as described above.

Korhammer et al. further teach a method, wherein duplicate quotes are provided by an ECN and the NASDAQ Stock Market (see Fig. 4; Fig. 5; where quote for Dell Computer Corp. is provided by ECN and NASDAQ market).

9.   As per claim 23, Korhammer et al. teach the method of claim 14 as described above.

Korhammer et al. further teach a method, wherein the first source is an ECN and the second source is the NASDAQ Stock Market (see Fig. 5).

10.   As per claim 24, Korhammer et al.. teach the method of claim 14 as described above.

Korhammer et al. further teach a method, wherein the first source is the

NASDAQ Stock Market and the second source is an ECN (see Fig. 4).

11.   As per claim 25, Korhammer et al. teach the method of claim 14 as

described above.

Korhammer et al. further teach a method, wherein

the quotes comprise bid prices for securities (see Fig. 4; where column

261 represents bid prices for securities).

12.   As per claim 26, Korhammer et al. teach the method of claim 14 as

described above.

Korhammer et al. further teach a method, wherein

the quotes comprise ask prices for securities (see Fig. 4; where column

262 represents ask or offer prices for securities).

13.   As per claim 27, Korhammer et al. teach a computer system configured to

implement the method of claim 14 (see Fig. 2; Fig. 3).

14.   As per claim 31, Korhammer et al. teach a carrier medium which stores

program instructions, wherein the program instructions are computer-executable

to implement a method of displaying quotes for a security from two or more

sources (see column 14, lines 1-3), the method comprising:

receiving quotes for a security from two or more sources (see column 14,

lines 4-8; see abstract; Fig.2; Fig. 4; Fig. 5; where quotes Dell Computer Corp.

quotes are received from NASDAQ, and ECNs);

displaying one or more quotes from a first source, wherein the first source

was not identified to be suppressed (see Fig. 5; column 9, lines 10-14; where

space 251 is checked allowing to display from first source(NASDAQ) and

second source (ECNs));

receiving user preference data that identifies sources to be suppressed;

suppressing display of one or more quotes from a second source, wherein the

second source was identified to be suppressed, and wherein the one or more

quotes from the second source which are suppressed, are duplicates of one or

more quotes from the first source which are displayed (see Fig. 4; column 8, lines

50-55; where customer 10 has elected to receive NASDAQ 52 data by failing to

check ECN election box 251).

Claim Rejections - 35 USC § 103

15.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

16.   Claims 1-13, 15-18, 28-30 and 32 are rejected under 35 U.S.C. 103(a) as

being unpatentable by Kormammer et al., U.S. Patent No. 6,278,982 (reference

C17 in attached IDS submitted by the applicant) in view of Jain et al. U.S. Patent

No. 6,751,746 (reference A in the attached PTO-892).

17.   As per claim 1, Korhammer et al. teach a computer-implemented method

of displaying quotes for a security from two or more sources (see column 14,

lines 1-14), the method comprising:

receiving quotes for a security from two or more sources (see abstract;

Fig. 4; Fig. 5; where quotes Dell Computer Corp. quotes are received from

NASDAQ, and ECNs);

displaying one or more quotes from a first source and displaying non-

duplicated quotes from the second source (see Fig. 4; Fig. 5; where quotes for

Dell is received from Instinet, Strike and Island which are ECNs(first source);

second source of quotes for Dell is NASDAQ); and

Korhammer et al. <u>do not teach determining if one or more quotes from a</u>

<u>second source are duplicates of one or more displayed quotes from the first</u>

<u>source.</u>

Jain et al. teach determining if one or more quotes from a second source

are duplicates of one or more displayed quotes from the first source (see Fig. 2).

Therefore, it would be prima facie obvious to one of ordinary skill in the art

at the time the invention was made to determine if one or more quotes from a

second source are duplicates of one or more displayed quotes from the first

source of Korhammer et al. because Jain et al. teach that determination of

duplicates would ensures failure within one of two path does not interrupt transfer

of packet from source to destination (Jain et al., column 2, lines 23-25).

18.   As per claim 2, Korhammer et al. in view of Jain et al. teach the method of

claim 1 as described above.

Korhammer et al. teach displaying non-duplicated quotes from the second source after detecting an interruption of communications from the first source (see Fig.4; Fig. 5);

Korhanmmer et al. do not teach the method of detecting an interruption of communications with the first source; determining if one or more quotes from the second source are duplicates of one or more quotes from the first source after detecting an interruption of communications from the first source.

Jain et al. teach method of detecting an interruption of communications with the first source; determining if one or more quotes from the second source are duplicates of one or more quotes from the first source after detecting an interruption of communications from the first source (see Fig. 2; column 2, lines 19-34, 64-67).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to detecting an interruption of communications with the first source; determining if one or more quotes from the second source are duplicates of one or more quotes from the first source after detecting an interruption of communications from the first source of Korhammer et al. because Jain et al. teach that detecting an interruption of communications with the first source; determining if one or more quotes from the second source are duplicates of one or more quotes from the first source after detecting an interruption of communications from the first source would ensures failure within one of two path does not interrupt transfer of packet from source to destination (Jain et al., column 2, lines 23-25).

19.   As per claim 3, Korhammer et al. in view of Jain et al. teach the method of

claim 2 as described above.

,Korhammer et al. <u>do not teach the method, wherein a connection server</u>

<u>detects the interruption of communications with the first source</u>.

Jain et al. teach the method, wherein a connection server detects the

interruption of communications with the first source (see Fig. 2, steps 230, 240;

where interruption is detected as packet did not reach destination node).

Therefore, it would be prima facie obvious to one of ordinary skill in the art

at the time the invention was made to include a method wherein a connection

server detects the interruption of communications with the first source of

Korhammer et al. because Jain et al. teach that detection of interruption of

communication with first source enables no action to be taken as destination

continue to receive those packets being sent along the other path (Jain et al. Fig.

2, column 2, line 30-34).

20.   As per claim 4, Korhammer et al. in view of Jain et al. teach the method of

claim 2 as described above.

Korhammer et al. further teach the method comprising:

displaying non-duplicated quotes from the second source after detecting

that communications with the first source have resumed (See Fig. 4; Fig. 5); and

Korhammer et al <u>do not teach detecting if communications with the first</u>

<u>source have resumed; determining if one or more quotes from the second source</u>

<u>are duplicates of one or more quotes from the first source after detecting that</u>

<u>communications with the first source have resumed</u>.

Jain et al. teach detecting if communications with the first source have resumed; determining if one or more quotes from the second source are duplicates of one or more quotes from the first source after detecting that communications with the first source have resumed (see Fig. 2; Steps 230, 250, 270).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to include detecting if communications with the first source have resumed; determining if one or more quotes from the second source are duplicates of one or more quotes from the first source after detecting that communications with the first source have resumed of Korhammer et al. because Jain et al. teach that detection of communication resumption and duplicate quotes enable capability to handle failures in the network and interruptions are not noticeable to the consumers (Jain et al., column 2, lines 7-12).

21.   As per claim 5, Korhammer et al. in view of Jain et al. teach the method of claim 4 as described above.

Korhammer et al. do not teach the method, wherein a connection server detects if communications with the first source are no longer interrupted.

Jain et al. teach the method, wherein a connection server detects if communications with the first source are no longer interrupted (see Fig. 2, step 230-250).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to include a method wherein a connection

server detects if communications with the first source are no longer interrupted of

Korhammer et al. because Jain et al. teach that detection of interruption of

communications with the first source ensures failure within one of two path does

not interrupt transfer of packet from source to destination (Jain et al., column 2,

lines 23-25).

22.   As per claim 6, Korhammer et al. in view of Jain et al. teach the method of

claim 1 as described above.

        Korhammer et al. further teach a method, wherein one of the sources is a

market center (see Fig. 2; where one of source is ECN, a market center).

23.   As per claim 7, Korhammer et al. in view of Jain et al. teach the method of

claim 1 as described above.

        Korhammer et al. further teach a method, wherein one of the sources is a

securities market (see Fig. 2; where one of source is NASDAQ, a security

market).

24.   As per claim 8, Korhammer et al. in view of Jain et al. teach the method of

claim 1 as described above.

        Korhammer et al. further teach a method, wherein one of the sources

comprises the NASDAQ Stock Market (see Fig. 2).

25.   As per claim 9, Korhammer et al. in view of Jain et al. teach the method of

claim 1 as described above.

        Korhammer et al. further teach a method, wherein the first source is an

ECN and the second source is the NASDAQ Stock Market (see Fig. 2; Fig. 4;

Fig. 5).

26.   As per claim 10, Korhammer et al. in view of Jain et al. teach the method of claim 1 as described above.

Korhammer et al. further teach a method, wherein the first source is the NASDAQ Stock Market and the second source is an ECN (see Fig. 4).

27.   As per claim 11, Korhammer et al. in view of Jain et al. teach the method of claim 1 as described above.

Korhammer et al. further teach a method, wherein

the quotes comprise bid prices for securities (see Fig. 4; where column 261 represents bid prices for securities).

28.   As per claim 12, Korhammer et al. in view of Jain et al. teach the method of claim 1 as described above.

Korhammer et al. further teach a method, wherein

the quotes comprise ask prices for securities (see Fig. 4; where column 262 represents ask or offer prices for securities).

29.   As per claim 13 , Korhammer et al. teach the computer system configured to implement method described in claim 1 (see Fig.2).

Korhammer et al. do not teach <u>do not teach determining if one or more quotes from a second source are duplicates of one or more displayed quotes from the first source.</u>

Jain et al. teach determining if one or more quotes from a second source are duplicates of one or more displayed quotes from the first source (see Fig. 1A; Fig. 2).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to configure the computer system to implement the method to determine one or more quotes from a second source are duplicates of one or more displayed quotes from the first source of Korhammer et al. because Jain et al. teach that determination of duplicates would ensures failure within one of two path does not interrupt transfer of packet from source to destination (Jain et al., column 2, lines 23-25).

30.   As per claim 15, Korhammer et al. teach the method of claim 14 as described above.

Korhammer et al. further teach the method comprising:

displaying one or more quotes from the second source, wherein the one or more quotes from the second source displayed corresponded to quotes that would be suppressed if communications with the first source were not interrupted (see Fig. 5; ECNs data); and

Korhammer <u>do not teach detecting an interruption of communications with the first source</u>.

Jain et al. teach the method of detecting the interruption of communications with the first source (see Fig. 2, steps 230, 240; where interruption is detected as packet did not reach destination node).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to include a method detecting the interruption of communications with the first source of Korhammer et al. because Jain et al.

teach that detection of interruption of communication with first source enables no

action to be taken as destination continue to receive those packets being sent

along the other path (Jain et al. Fig. 2, column 2, line 30-34).

31.   As per claim 16, Korhammer et al. in view of Jain et al. teach the method

of claim 15 as described above.

Korhammer et al. <u>do not teach the method, wherein a connection server</u>

<u>detects the interruption of communications with the first source.</u>

Jain et al. teach the method, wherein a connection server detects the

interruption of communications with the first source (see Fig. 2, steps 230, 240).

Therefore, it would be prima facie obvious to one of ordinary skill in the art

at the time the invention was made to detecting an interruption of

communications with the first source of Korhammer et al. because Jain et al.

teach that detecting an interruption of communications with the first source

enables to no action to be taken as destination continue to receive those packets

being sent along the other path (Jain et al. Fig. 2, column 2, line 30-34).

32.   As per claim 17, Korhammer et al. in view of Jain et al. teach the method

of claim 15 as described above.

Korhammer et al. further teach the method comprising:

displaying one or more quotes from the first source (see Fig. 4; Fig.5;

NASDAQ quotes)

suppressing display of one or more quotes from the second source:

wherein the one or more quotes from the second source which are suppressed,

are duplicates of one or more quotes from the first source which are displayed .

(see Fig. 4; column 8, lines 50-55; where customer 10 has elected to receive

NASDAQ 52 data by failing to check ECN election box 251, suppressing quotes

from the second source ECNs); and

Korhammer et al. <u>do not teach method of detecting if communications with</u>

<u>the first source are no longer interrupted</u>.

Jain et al. teach method of detecting if communications with the first

source are no longer interrupted (see fig. 2, steps 230).

Therefore, it would be prima facie obvious to one of ordinary skill in the art

at the time the invention was made to include detecting an interruption of

communications with the first source of Korhammer et al. because Jain et al.

teach that detecting an interruption of communications with the first source would

ensures failure within one of two path does not interrupt transfer of packet from

source to destination (Jain et al., column 2, lines 23-25).

33.   As per claim 18, Korhammer et al. in view of Jain et al. teach the method

of claim 17 as described above.

Korhammer et al. <u>do not teach the method, wherein a connection server</u>

<u>detects if communications with the first source are no longer interrupted</u>.

Jain et al. teach the method, wherein a connection server detects if

communications with the first source are no longer interrupted (see Fig. 2, step

230-250).

Therefore, it would be prima facie obvious to one of ordinary skill in the art

at the time the invention was made to include a method wherein a connection

server detects if communications with the first source are no longer interrupted of

Korhammer et al. because Jain et al. teach that detection of interruption of communications with the first source ensures failure within one of two path does not interrupt transfer of packet from source to destination (Jain et al., column 2, lines 23-25).

34.   As per claim 28, Korhammer et al. teach a carrier medium which stores program instructions, wherein the program instructions are computer-executable to implement a method of displaying quotes for a security from two or more sources (see column 3, lines 34-47), the method comprising:

receiving quotes for a security from two or more sources (see column 14, lines 1-7; Fig. 4; Fig. 5; where quotes Dell Computer Corp. quotes are received from NASDAQ, and ECNs);

displaying one or more quotes from a first source (see column 14, lines 8-14; Fig. 4; Fig. 5; where quotes for Dell is received from Instinet, Strike and Island which are ECNs(first source); second source of quotes for Dell is Nasdaq);

Korhammer et al. <u>do not teach determining if one or more quotes from a second source are duplicates of one or more displayed quotes from the first source; and displaying non-duplicated quotes from the second source.</u>

Jain et al. teach determining if one or more quotes from a second source are duplicates of one or more displayed quotes from the first source; and displaying non-duplicated quotes from the second source (see Fig. 2).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to determine if one or more quotes from a second source are duplicates of one or more displayed quotes from the first source; and display non-duplicated quotes from the second source of Korhammer et al. because Jain et al. teach that determination of duplicates and display of non-duplicates would ensures failure within one of two path does not interrupt transfer of packet from source to destination (Jain et al., column 2, lines 23-25).

35.   As per claim 29, Korhammer et al. in view of Jain et al. teach the method of claim 28 as described above.

Korhammer et al. further teach the carrier medium, wherein the method of displaying non-duplicated quotes from the second source (see Fig.4; Fig. 5);

Korhanmmer et al. do not teach the method of detecting an interruption of communications with the first source; determining if one or more quotes from the second source are duplicates of one or more quotes from the first source.

Jain et al. teach method of detecting an interruption of communications with the first source; determining if one or more quotes from the second source are duplicates of one or more quotes from the first source (see Fig. 2; column 2, lines 19-34, 64-67).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to detecting an interruption of communications with the first source; determining if one or more quotes from the second source are duplicates of one or more quotes from the first source of

Korhammer et al. because Jain et al. teach that determination of duplicates and

display of non-duplicates would ensures failure within one of two path does not

interrupt transfer of packet from source to destination (Jain et al., column 2, lines

23-25).

36.   As per claim 30, Korhammer et al. in view of Jain et al. teach the method

of claim 29 as described above.

Korhammer et al. further teach the carrier medium, wherein the method

comprises:

displaying non-duplicated quotes from the second source (See Fig. 4; Fig.

5); and

Korhammer et al <u>do not teach detecting if communications with the first

source have resumed; determining if one or more quotes from the second source

are duplicates of one or more quotes from the first source</u>.

Jain et al. teach detecting if communications with the first source have

resumed; determining if one or more quotes from the second source are

duplicates of one or more quotes from the first source after detecting that

communications with the first source have resumed (see Fig. 2).

Therefore, it would be prima facie obvious to one of ordinary skill in the art

at the time the invention was made to include detecting if communications with

the first source have resumed; determining if one or more quotes from the

second source are duplicates of one or more quotes from the first source of

Korhammer et al. because Jain et al. teach that detection of communication

resumption and duplicate quotes enable capability to handle failures in the

network and interruptions are not noticeable to the consumers (Jain et al.,

column 2, lines 7-12).

37.   As per claim 32, Korhammer et al. teach   the claim 31 as described

above. Korhammer et al. further teach the carrier medium, wherein the method

further comprises:

Korhammer et al. further teach the method comprising:

displaying one or more quotes from the second source (see Fig. 5; ECNs

data), wherein the one or more quotes from the second source displayed

corresponded to quotes that would be suppressed if communications with the

first source were not interrupted; and

Korhammer <u>do not teach detecting an interruption of communications</u>

<u>with the first source</u>.

Jain et al. teach the method of detecting the interruption of

communications with the first source (see Fig. 2, steps 230, 240; where

interruption is detected as packet did not reach destination node).

Therefore, it would be prima facie obvious to one of ordinary skill in the art

at the time the invention was made to include a method detecting the interruption

of communications with the first source of Korhammer et al. because Jain et al.

teach that detection of interruption of communication with first source enables no

action to be taken as destination continue to receive those packets being sent

along the other path (Jain et al. Fig. 2, column 2, line 30-34).

38.   As per claim 33, Korhammer et al. teach the claim 32 as described

above. Korhammer et al. further teach the carrier medium, wherein the method

further comprises:

displaying one or more quotes from the first source ((see Fig. 4; Fig.5;

NASDAQ quotes);

suppressing display of one or more quotes from the second source:

wherein the one or more quotes from the second source which are suppressed,

are duplicates of one or more quotes from the first source which are displayed

(see Fig. 4; column 8, lines 50-55; where customer 10 has elected to receive

NASDAQ 52 data by failing to check ECN election box 251, suppressing quotes

from the second source ECNs); and

Korhammer et al. <u>do not teach method of detecting if communications with</u>

<u>the first source are no longer interrupted</u>.

Jain et al. teach method of detecting if communications with the first

source are no longer interrupted (see fig. 2, steps 230).

Therefore, it would be prima facie obvious to one of ordinary skill in the art

at the time the invention was made to include detecting an interruption of

communications with the first source of Korhammer et al. because Jain et al.

teach that detecting an interruption of communications with the first source would

ensures failure within one of two path does not interrupt transfer of packet from

source to destination (Jain et al., column 2, lines 23-25).

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees.   A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

39.   Claims 1, 14, 28 and 31 are provisionally rejected on the ground of nonstatutory double patenting over claim1-57 of copending Application No. 09/876270. This is a provisional double patenting rejection since the conflicting claims have not yet been patented.

The subject matter claimed in the instant application is fully disclosed in the referenced copending application and would be covered by any patent granted on that copending application since the referenced copending application and the instant application are claiming common subject matter, as follows: A computer-implemented method for displaying of security information (quotes) comprising receiving plurality of quotes for a security, combining received quotes and display quotes to the user.

Furthermore, there is no apparent reason why applicant would be prevented from presenting claims corresponding to those of the instant

application in the other copending application. See *In re Schneller*, 397

F.2d 350, 158 USPQ 210 (CCPA 1968). See also MPEP § 804.

Conclusion

40.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosures. The following are pertinent to current invention, though

not relied upon:

Chang et al. (U.S. Patent No. 6,715,126) efficient streaming of

synchronized web content from multiple sources.

DaCosta et al. (U.S. Patent No. 6,826,553) teach system for providing

database functions for multiple Internet sources.

Galant (U. S. Pub No. 2003/0182220) teaches method and system for

providing financial information.

Guheen et al. (U. S. Patent No. 6,615,166) teach prioritizing components

of a network framework required for implementation of technology.

Horvitz et al. (U. S. Patent No. 7,120,865) teach method for display,

notification, and interaction with prioritized message.

Jacket et al. (U.S. Patent No. 7,133,919) teach system and method for

providing status information for multiple information sources in a single display.

Kindell et al. (U.S. Patent No. 5,884,028) teach system for the

management of multiple time-critical data streams.

Luken et al. (U.S. Patent No. 6,988,144) teach packet scheduling system

and method for multimedia data.

Santoro et al. (U.S. Pub No. 2003/0020671) teach system and method for simultaneous display of multiple information sources.

Sullivan, Deidre (American Banker, March 3, 1993) teach S&P rolls out windows system offers traders a single source for market quotes and financial data.
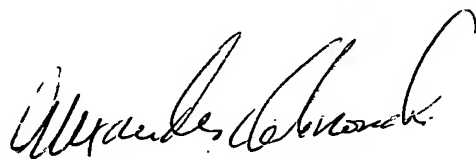
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bijendra K. Shrestha whose telephone number is (571) 270-1374. The examiner can normally be reached on 7:00 AM-4:30 PM (Monday-Friday); 2nd Friday OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

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9199 (IN USA OR CANADA) or 571-272-1000.

BKS

ALEXANDER KALINOWSKI
SUPERVISORY PATENT EXAMINER

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :04/09/2002, 11/25/2002, 05/282003, 07/08/2003, 04/07/2004 and 04/12/2004.